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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT TACOMA

8 RAFAEL OSEGUERA GODINES,

9 Plaintiff,

10 v.

11 KITSAP COUNTY JAIL, et al.,

12 Defendants.  
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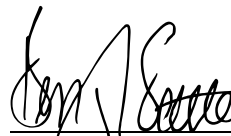
Case No. C09-5215BHS

ORDER ADOPTING REPORT  
AND RECOMMENDATION

14 This matter comes before the Court on the Report and Recommendation of the  
15 Honorable J. Richard Creatura, United States Magistrate Judge (Dkt. 9). The Court having  
16 considered the Report and Recommendation and the remaining record, and no objection by  
17 Plaintiff having been filed, does hereby find and order:

- 18 (1) The Court adopts the Report and Recommendation; and  
19 (2) This action is **DISMISSED without prejudice** because Plaintiff has failed to  
20 serve Defendants and has failed to comply with a court order regarding  
21 service.

22 DATED this 10<sup>th</sup> day of December, 2009.

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25 BENJAMIN H. SETTLE  
26 United States District Judge  
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ORDER